

JUSA

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 8665

UNITED STATES OF AMERICA) Magistrate Case No.:
)
Plaintiff,) COMPLAINT FOR VIOLATION OF
)
v.) 21 U.S.C. § 952 and 960
) Importation of a Controlled
Peter Antonio MORENO,) Substance (Felony)
)
Defendant.)

The undersigned complainant being duly sworn states:

That on or about July 19, 2008, within the Southern District of California, defendant Peter Antonio MORENO did knowingly and intentionally import approximately 27.90 kilograms (61.38 pounds) of marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

A handwritten signature in cursive script, reading "Hugo A. Leon".

Special Agent
U. S. Immigration & Customs
Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 21ST
DAY OF JULY 2008.

A handwritten signature in cursive script, reading "Peter C. Lewis".

PETER C. LEWIS
UNITED STATES MAGISTRATE JUDGE

1
2 UNITED STATES OF AMERICA

3 v.

4 Peter Antonio MORENO

5
6 **PROBABLE CAUSE STATEMENT**

7 I, Special Agent Lance Swanson, declare under penalty of perjury, the following
8 is true and correct:

9 On July 19, 2008 at approximately 0200 hours, Peter Antonio MORENO entered
10 the United States at the Calexico, California, West Port of Entry. MORENO was the
11 sole occupant driver and owner of a 1996 Mitsubishi Eclipse.

12 During the primary inspection Customs and Border Protection Officer (CBPO) E.
13 Stewart received a negative Customs Declaration from MORENO. MORENO told the
14 officer that he was the owner of the vehicle, and had owned it for several months.
15

16 While inspecting the vehicle, CBPO E. Stewart noticed the bolt heads on the gas
17 tank of the vehicle were scratch up appeared to have been removed recently along with
18 the gas tank hose clamps. CBPO E. Stewart also noticed the gas tank felt solid, and
19 the vehicle only had one key. CBPO E. Stewart then escorted MORENO and the
20 vehicle to secondary inspection.
21

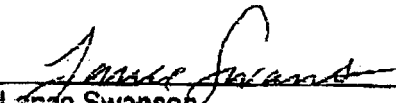
22 In the vehicle secondary lot, CBP K-9 Officer R. Waters was asked to screen the
23 vehicle with his Narcotics Detection Dog (NDD). CBP K-9 Officer K. R. Waters received
24 an alert from his NDD on the dashboard area of the vehicle.
25

26 Upon further inspection, CBPO E. Stewart discovered thirty-two (32) packages
27 concealed in the gas tank (16) and dashboard area (16) of the vehicle. One of the
28
29

1 packages was probed and a sample of a green leafy substance was obtained, which
2 field tested positive for marijuana. The 32 packages had a combined net weight of
3 approximately 27.90 kilograms (61.38 pounds).

4 MORENO was placed under arrest and advised of his Constitutional Rights,
5 which he acknowledged and waived, agreeing to answer questions. MORENO stated to
6 Special Agent Swanson he was going to be paid \$1500.00 to smuggle marijuana into
7 the United States.
8

9 Executed on 07/19/08 @ 0906 hrs
10

11
12 
13 Lance Swanson
14 Special Agent

15 One the basis of the facts presented in the probable cause statement consisting
16 of 2 pages, I find probable cause to believe that the defendant named in this probable
17 cause statement committed the offense on July 19, 2008 in violation of Title 21, United
18 States Code, Sections 952 & 960.
19

20
21 
22
23 United States Magistrate Judge

24
25 July 19, 2008, 155PM
26 Date/Time
27
28
29